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Honorable Mary Kay Vyskocil
United States District Judge
Southern District of New York
500 Pearl Street, Room 2230
New York, NY 10007

Re: **O'Rourke v. 218 East 52nd Street LLC, et al.**
Case No.: 1:19:-CV-10764

Your Honor:

I am counsel for the defendants in the above referenced matter and am writing to report that I have had a discussion with plaintiff's counsel as ordered by the court on March 18th, Document 17. We discussed the physical location at issue in this ADA accessibility action and how to move forward given the COVID-19 national emergency.

From a practical standpoint, without making any admissions or waiving any rights, plaintiff and defendant are on the same page as to wanting to make the location accessible to people with disabilities and both understand the challenges of doing that in this specific location. Defendant's Counsel shared photographs and counsel discussed ideas to investigate as to accessibility.

Counsel jointly ask that all activities in this matter be stayed for six months, until the end of September, due to the Covid-19 crisis, including the filing of the Case Management Plan, conferences and discovery. Defendant is a bar restaurant that is closed pursuant to the mandate of the State of New York. Counsel believe that the world will be a different place in six months and, given the type of action this is, it makes sense to stay this matter.

However, counsel have agreed to continue to investigate the possible mitigation strategies discussed.

Counsel both thank the Court for its consideration to this matter.

Yours,

Martin D. Novar

Martin Novar
(MN 7331)

cc: Nolan Klein, Esq.

This request is GRANTED IN PART. The parties shall submit their joint letter on the status of this case and Proposed Case Management Plan by August 17, 2020.

Date: 4/2/2020
New York, New York

Mary Kay Vyskocil
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United States District Judge